

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/9/14

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CAMOFI MASTER, LDC and CAMHZN MASTER,
LDC,

Plaintiffs,

-v-

U.S. COAL CORPORATION; EAST COAST MINER,
LLC; and JAD COAL COMPANY, INC.,

Defendants,
-----X

U.S. COAL CORPORATION and JAD COAL
COMPANY, INC.,

Counterclaim Plaintiffs,

-v-

CAMOFI MASTER, LDC; CAMHZN MASTER, LDC
and CENTRECOURT MANAGEMENT, LLC,

Counterclaim Defendants.
-----X

14 Civ. 4341 (PAE)

NOTICE OF INITIAL
PRETRIAL
CONFERENCE

PAUL A. ENGELMAYER, District Judge:

An initial pretrial conference is hereby scheduled for **August 13, 2014 at 2 p.m.** in **Courtroom 1305** at the Thurgood Marshall U.S. Courthouse, 40 Centre Street, New York, New York 10007. By the date of the initial pretrial conference, counsel for all parties are required to register as filing users in accordance with the Procedures for Electronic Case Filing. The parties are directed to review the Court's Individual Rules, found at

<http://www.nysd.uscourts.gov/judge/Engelmayer>, for instructions on the methods for communicating with Chambers.

Counsel for the removing defendant is directed to serve a copy of this Order on each other party within 14 days following the date of this order; a copy of this Order must also be served with any subsequent process that brings in additional parties, and proof of such service must be filed promptly with the Court. If the removing defendant's counsel is unaware of the identity of counsel for any of the other parties, he or she must forthwith send a copy of this Order to that party personally.

Counsel for the removing defendant is further directed to serve on all other parties and submit to the Court **within 14 days following the date of this order** a letter providing the following information:

1. Whether all defendants who had been served at the time of removal joined in the notice of removal.
2. Whether the notice of removal was dated more than 30 days after the first defendant was served.
3. If the action has been removed on the grounds of diversity jurisdiction, the citizenship of all named plaintiffs and all named defendants (including the citizenship of all members or partners in any non-corporate entity), if such states of citizenship were not set forth in the notice of removal.

If any plaintiff has a response to defendant's submission, that response must be submitted to the Court within **7 days of service** of defendant's submission. Any motion to remand the action to state court based on procedural defects in the removal must have been filed within 30 days of removal. *See* 28 U.S.C. § 1447(c).

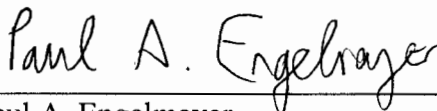
Counsel are further directed to prepare a Civil Case Management Plan and Scheduling Order in accordance with the Court's Individual Rules, to be submitted to the Court no later than 3 business days before the initial pretrial conference.

Counsel are further directed to submit to the Court, no later than 3 business days before the date of the initial conference, a joint letter, not to exceed 3 pages in length, addressing the following topics in separate paragraphs: (1) a brief description of the case, including the factual and legal bases for the claim(s) and defense(s); (2) any contemplated motions; and (3) the prospect for settlement. For the Court's convenience, the parties are requested to set forth the date and time of the conference in the opening paragraph of the letter. Prior to the date of the conference, all parties must send the Court one courtesy copy of all pleadings.

If this case has been settled or otherwise terminated, counsel are not required to appear, provided that a stipulation of discontinuance, voluntary dismissal, or other proof of termination is sent prior to the date of the conference via e-mail to the Orders and Judgment Clerk at the following e-mail address: orders_and_judgments@nysd.uscourts.gov.

All conferences with the Court are scheduled for a specific time; there is no other matter scheduled for that time; and counsel are directed to appear promptly. **All pretrial conferences must be attended by the attorney who will serve as principal trial counsel.** Requests for adjournment may be made only in a writing received no later than 2 business days before the conference. The written submission must comply with Section 1.E of the Court's Individual Rules. Unless counsel are notified that the conference has been adjourned, it will be held as scheduled.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: July 9, 2014
New York, New York